



Practitioner's Docket No. 4020-005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Duty, Carolyn I.

Application No: 10 / 635,121 Group No.: 3727
 Filed: 08/06/2003 Examiner: Mai, Tri M.
 For: TOTE BAG WITH SINGLE STRAP AND POCKETS

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
 BEFORE MAILING DATE OF EITHER A FINAL ACTION
 OR NOTICE OF ALLOWANCE (37 C.F.R. § 1.97(c))

NOTE: 37 C.F.R. 1.97: "(c) An information disclosure statement shall be considered by the Office if filed after the period specified in paragraph (b) of this section, provided that the information disclosure statement is filed before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, and it is accompanied by one of:

- (1) The statement specified in paragraph (e) of this section; or
- (2) The fee set forth in § 1.17(p)."'

NOTE: "If a final action or notice of allowance is mailed in an application and later withdrawn, the application will be considered as not having had a final action or notice of allowance mailed for purposes of considering an information disclosure statement." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*
 (When using Express Mail, the Express Mail label number is mandatory;
 Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

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37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10 *

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facsimile transmitted to the Patent and Trademark Office, (703) _____

Date: March 29, 2005

 Rhonda L. Sanders
 (type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(Transmittal of Information Disclosure Statement before Mailing Date of Either a Final Action Or Notice of Allowance [6-4]—page 1 of 3)

NOTE: 37 C.F.R. § 1.704(d): "A paper containing only an information disclosure statement in compliance with §§ 1.97 and 1.98 will not be considered a failure to engage in reasonable efforts to conclude prosecution (processing or examination) of the application under paragraphs (c)(6), (c)(8), (c)(9), or (c)(10) of this section if it is accompanied by a statement that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the information disclosure statement. This thirty-day period is not extendable."

NOTE: "Information submitted during the period set forth in 37 C.F.R. 1.97(c) with a certification is used in a new ground of rejection on unamended claims, the next Office action will not be made final since in this situation it is clear that applicant has submitted the information to the office promptly after it has become known and the information is being submitted prior to a final determination on patentability by the Office. However, the information submitted with a certification can be used in a new ground of rejection and the next Office action made final, if the new ground of rejection was necessitated by amendment of the application by applicant. Where the information is submitted during this period with a fee, the examiner may use the information submitted, e.g., printed publication or evidence of public use, and make the next Office action final whether or not the claims have been amended, provided that no other new ground of rejection which was not necessitated by amendment to the claims is introduced by the examiner. See MPEP 706.07(e). If a new ground of rejection is introduced that is neither necessitated by an amendment to the claims nor based on the information submitted with the fee set forth in 37 C.F.R. § 1.17(p), the Office action shall not be made final." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. § 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63). But see § 103(b) and (c), limited suspension of action in a discontinued prosecution application (CPA) filed under § 1.53(d) end in a request for continued examination (RCE) under § 1.114.

WARNING: No extension of time can be had under 37 C.F.R. 1.136 (a) or (b) for filing an IDS. 37 C.F.R. 1.97(f).

TIME OF TRANSMITTAL OF ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

1. The information disclosure statement transmitted herewith is being filed **after** three months of the filing date of this national application or the date of entry of the national stage as set forth in § 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but **before** the mailing date of either:
 - (1) a final action under § 1.113 or
 - (2) a notice of allowance under § 1.311,whichever occurs first.

STATEMENT OR FEE

2. Accompanying this transmittal is

(check either A or B below)

- a statement as specified in 37 C.F.R. § 1.97(e).

OR

- the fee set forth in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under § 1.97(c). (\$180.00).

(Transmittal of Information Disclosure Statement before Mailing Date of Either a Final Action or Notice of Allowance [8-4]—page 2 of 3)

FEE PAYMENT

(complete this item, if applicable)

3. Applicant elects the option to pay the fee set forth in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under § 1.97(c) (\$180.00).

Fee due \$ 180.00**METHOD OF PAYMENT OF FEE**

4.

Attached is a check money order in the amount of \$ 180.00
 Authorization is hereby made to charge the amount of \$ _____
 to Deposit Account No. _____
 to Credit card as shown on the attached credit card information authorization form PTO-2038.

WARNING: Credit card information should not be included on this form as it may become public.
 Charge any additional fees required by this paper or credit any overpayment in the manner authorized above, to Deposit Act. 02-2267

A duplicate of this paper is attached.



SIGNATURE OF PRACTITIONER

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4020-005
Patent

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on March 29, 2005.

Signature

Rhonda L. Sanders

Type or Print Name of Person Certifying

Date: March 29, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of: Carolyn I. Duty) Group Art Unit: 3727
Serial No.: 10/635,121)
Filed: August 6, 2003) Examiner: Mai, Tri M.
For: TOTE BAG WITH A SINGLE STRAP AND POCKETS

MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
Alexandria, Virginia 22313

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.56 and 37 C.F.R. 1.97-1.99, it is requested that the references listed on the attached Forms PTO/SB/08a and PTO/SB/08b be made of record in the above identified application. Enclosed herewith is a copy of the patent documents and search report referenced. If the documents have markings thereon, applicant does not intend to attach any significance to such markings.

If any additional fees are necessary, the Commissioner is hereby authorized to charge fees necessary to enter this paper and obtain consideration of the documents identified on the attached listing to Deposit Account No. 02-2267.

Respectfully submitted,

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PTO/SB/08A (08-03)

PTO-908 (04-09) Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 2

Complete If Known

Application Number	10/635,121
Filing Date	08/06/2003
First Named Inventor	Duty
Art Unit	3727
Examiner Name	Mai, Tri M.
Attorney Docket Number	4020-005

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
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³EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 600. Draw line through citation if not. In conformance and not considered, include copy of the form with next communication to applicant. "Applicant's unique citation designation number (optional). See 'Kinds Codes of USPTO Patent Document' at www.uspto.gov or MPEP 901.04, ⁴ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. If kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.15 if possible. ⁵ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/08b(05-03)
Approved for use through 04/30/2003. OMB 0651-0031

Approved for use through 09/2022. GPO:2019-05-07, OMB:2019-05-07
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Substitute for form 1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 2 of 2

Complete if Known
Application Number 10/635,121
Filing Date 08/06/2003
First Named Inventor Duty
Art Unit 3727
Examiner Name Mai, Tri M.
Attorney Docket Number 4020-005

NON-PATENT LITERATURE DOCUMENTS

Examiner Signature	Date Considered
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'EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not in accordance with post communication to applicant.

1. **Applicant's unique claim identifier (number or name) (optional).** 2. **Applicant is to place a check mark here if English language Translation is attached.**

1. **Applicant's unique claim identifier (number or name) (optional).** 2. **Applicant is to place a check mark here if English language Translation is attached.** The information is required by 37 CFR 1.96. The information is required to obtain or retain a right to the public width or height to be used by the USPTO to process an application. The submission is governed by 35 U.S.C. 122 and 37 CFR 1.14. This content is required to be submitted in 120 minutes to complete, including to process an application. and confirming the submission application. The time limit is dependent upon the individual case. Any comments on the gathering, preparing, and confirming the submission application will be considered by the USPTO. The time limit is dependent upon the individual case. The comments, if any, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.** 3. **NAME:** Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.